

Absent—10.

Chambers.	Meachum.
Faust.	Paulus.
Griggs.	Senter.
Harbison.	Terrell.
Mayfield.	Veale.

Absent—Excused— 2.

Greer.	Stokes.
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ADJOURNMENT.

On motion of Senator Hudspeth, the Senate adjourned until Monday morning at 9:30 o'clock.

FIFTY-SECOND DAY.

Senate Chamber,
Austin, Texas,
Monday, March 18, 1907.

Senate met pursuant to adjournment.
Lieutenant Governor A. B. Davidson
in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Cunningham.	Mayfield.
Faust.	Meachum.
Glasscock.	Murray.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Holsey.	Willacy.
Hudspeth.	

Absent.

Chambers.	Veale.
Paulus.	Watson.
Stokes.	

Absent—Excused.

Greer.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Friday, on motion of Senator Stone, the same was dispensed with.

EXCUSED.

On motion of Senator Willacy, Senator Chambers was excused from attendance upon the Senate indefinitely, on account of sickness.

On motion of Senator Kellie, Senator Paulus was excused from attendance upon the Senate for Saturday, today

and tomorrow, on account of important business.

(See Appendix for committee reports.)

BILLS AND RESOLUTIONS.

By Senator Harbison:

Senate bill No. 284, A bill to be entitled "An Act to provide adequate punishment for any person who shall engage or act in the capacity of a locomotive engineer, or train conductor, upon any railroad in the State of Texas, without having first served three (3) years as a locomotive fireman, or engineer or if engaged as a conductor on any railroad train in this State, he shall be punished as herein provided, if he engaged to so act without first having served two (2) years as a brakeman, or conductor of a freight train. To punish any person who shall knowingly engage, promote, require, persuade, prevail upon or cause any person to do any act in violation of this act."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Kellie:

Senate bill No. 285, A bill to be entitled "An Act to provide for reorganizing Port Arthur Independent School District, in Jefferson county, Texas; and for a tax assessor and collector for said school district to be elected by the qualified voters of said district; to provide for removing the officers of said board, and said tax assessor and collector for misconduct of office, or unsatisfactory attention to duties of their respective offices, by a majority vote of said board; to provide for filling vacancies in the membership of said board and in said office of tax assessor and collector, by a majority of said board; to provide for the levy and collection of local taxes for school maintenance purposes at not exceeding one-half of 1 per cent, and for the purpose of paying the interest on and providing a sinking fund to pay at maturity, the bonds of said district, heretofore or hereafter legally voted, within the limits provided by law; to provide for paying the judges and clerks for holding school elections for said district; to provide when teachers may be elected by the board, to provide for making this act cumulative of the general laws of this State regulating towns and villages incorporated for free school purposes only under the said General Laws, except in case of conflict, when this act shall control; and providing that all such general laws now in

force or that may hereinafter be enacted, shall apply to and govern, and control said Port Arthur Independent School District, except in case of conflict when this act shall control; and to provide for repealing Chapter 184, passed at Regular Session of the Twenty-sixth (26th) Legislature, and all other acts or parts of acts, in so far as the same are in conflict with this act; and declaring an emergency."

Read first time, and referred to Committee on Educational Affairs.

By Senator Alexander:

Senate bill No. 286, A bill to be entitled "An Act to amend an act entitled 'An Act to amend Section 1 of an act entitled an act to amend an act to amend an act entitled an act to redistrict the State into judicial districts and fix the times for holding court therein and to provide for the election of judges and district attorneys in said districts at the next general election to be held on the first Tuesday after the first Monday in November, 1884, approved April 9th, 1883, approved March 24th, 1885, to create the Forty-third Judicial District of the State of Texas, fix the times for holding court therein and to provide for the appointment of a district judge for said district, approved March 30th, 1887, to create the Forty-eighth Judicial District of the State of Texas, fix the times for holding court therein, and to fix the times for holding court in the Seventeenth Judicial District of the State of Texas, and to provide for the appointment of a district judge of the said Forty-eighth Judicial District,' passed by the Twenty-second Legislature of the State of Texas, approved February 6, 1891, and being Chapter 3 of the General Laws of Texas of 1891, and to create the Sixty-seventh Judicial District of the State of Texas, fix the times for holding the district courts in Tarrant county, Texas, and to define the jurisdiction thereof, and to provide for the venue of causes in said courts, and provide for the appointment of a district judge for the Sixty-seventh Judicial District of Texas, and to repeal all laws and parts of laws in conflict herewith."

Read first time and referred to Committee on Judicial Districts.

By Senators Murray, Smith and Looney:

Senate bill No. 287, A bill to be entitled "An Act creating the office of inspector of all petroleum oils and products, providing for the appointment of

inspectors and deputy inspectors, defining their qualifications and duties; providing how fire tests shall be made; defining standard oils and fluids and defining how they shall be branded; providing penalties for violation of this act, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Senter:

Senate bill No. 288, A bill to be entitled "An Act to amend Section 2 of an act entitled 'An Act creating an Independent School District in the counties of Ellis and Dallas, State of Texas, to be known as the Ferris Independent School District and to have all the powers, rights and duties of Independent School Districts formed by the incorporation of towns and villages for free school purposes only."

Read first time, and referred to Committee on Educational Affairs.

By Senator Hudspeth:

Senate bill No. 289, A bill to be entitled "An Act to prescribe the time of holding the terms of the district court of the various counties comprising the Thirty-eighth Judicial District of the State of Texas, and repealing all laws in conflict herewith."

Read first time, and referred to Committee on Judicial Districts.

SIMPLE RESOLUTION.

Senator Smith offered the following resolution, which was read, and on his motion the same was adopted:

Whereas, On last Friday while the Senate was in session a disturbance was created by the Hon. W. R. Holsey and J. H. Quarles, correspondent of the Houston Post, which tended to interfere with the orderly proceedings of the Senate; and

Whereas both of said parties have apologized to the Senate, and

Whereas, The repetition of such disturbances will not likely occur again while the Senate is in actual session; therefore, be it

Resolved, By the Senate that the apologies of said parties be accepted, and that no further action be taken by the Senate in relation thereto.

Morning call concluded.

SENATE BILL NO. 126.

The Chair laid before the Senate, as special order,

Senate bill No. 126, A bill to be entitled "An Act to amend Section 9,

Chapter 137, page 222, of an act of the Twenty-eighth Legislature entitled 'An Act to preserve and protect the wild game, wild birds and wild fowls of the State, to provide adequate penalties for the unlawful taking, slaughter, sale or shipment thereof, and to repeal all laws and parts of laws in conflict herewith,' so as to make it lawful to kill quail or partridge between the third day of November and the first day of March of each year."

On motion of Senator Holsey the bill was laid on the table subject to call.

SENATE BILL NO. 204.

On motion of Senator Masterson, the pending order of business (Senate bill No. 160) was suspended, and the Senate took up, out of its order, Senate bill No. 204.

The Chair laid before the Senate, on second reading,

Senate bill No. 204, A bill to be entitled "An Act to amend Title XIII, Chapter 1, of the Penal Code of the State of Texas, by adding thereto Article 482a, providing the manner in which traction engines and separators shall be transported or carried over any public bridge or culvert upon any public road or highway, or any street or alley in any incorporated town or city, and providing a penalty for the violation thereof, and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Masterson the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Cunningham.	Meachum.
Glasscock.	Murray.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Willacy.
Holsey.	

Absent.

Faust.	Stokes.
Hudspeth.	Veale.
Mayfield.	Watson.
Smith.	

Absent—Excused.

Chambers.	Paulus.
Greer.	

The bill was read third time, and passed by the following vote:

Yeas—21.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Cunningham.	Meachum.
Glasscock.	Murray.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Willacy.
Holsey.	

Absent.

Faust.	Stokes.
Hudspeth.	Veale.
Mayfield.	Watson.
Smith.	

Absent—Excused.

Chambers.	Paulus.
Greer.	

Senator Masterson moved to reconsider the vote by which the bill was passed, and lay that motion on the table. The motion to table prevailed.

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House concurs in Senate amendments to House bills Nos. 92 and 140.

Does not concur in Senate amendments to House bill No. 274, and requests the appointment of a Free Conference Committee, and the following have been appointed on the part of the House: Messrs. Nelson of Kaufman, Davis of Brazos, Bryan, Cable and Jackson.

Also grants the request of the Senate for a Conference Committee on Senate bill No. 203, and the following have been appointed on the part of the House: Messrs. Onion, Cobbs, McCallum, James and Cocke.

Respectfully,
BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 390.

On motion of Senator Skinner, the pending order of business (Senate bill No. 160) was suspended, and the Senate took up, out of its order, House bill No. 390.

The Chair laid before the Senate, on second reading,

House bill No. 390, A bill to be entitled "An Act to amend Section 7, Chapter 10, of the General Laws of Texas, 1905, Acts of the First Called Session of the Twenty-ninth Legislature, in reference to the reserve fund to be kept by State banks."

The committee report, which provided that the bill be not printed, was adopted, on motion of Senator Skinner.

Bill read second time, and passed to a third reading.

On motion of Senator Skinner, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Cunningham.	Meachum.
Glasscock.	Senter.
Green.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Willacy.
Holsey.	

Absent.

Faust.	Stokes.
Hudspeth.	Veale.
Mayfield.	Watson.
Murray.	

Absent—Excused.

Chambers.	Paulus.
Greer.	

The bill was read third time, and passed by the following vote:

Yeas—21.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Cunningham.	Meachum.
Glasscock.	Senter.
Green.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Willacy.
Holsey.	

Absent.

Faust.	Stokes.
Hudspeth.	Veale.
Mayfield.	Watson.
Murray.	

Absent—Excused.

Chambers.	Paulus.
Greer.	

Senator Skinner moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

CONFERENCE REPORT ON SENATE BILL NO. 203—ADOPTION OF.

Senator Green offered the following report:

Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, President of the Senate, and Hon. Thos. B. Love, Speaker of the House.

Sirs: We, your Conference Committee, to whom was referred Senate bill No. 203, A bill to be entitled "An Act to incorporate the trustees of the Independent School District of the city of San Antonio, Texas, under the name 'San Antonio School Board,' with power to make contracts, to be a party to actions in courts, to receive gifts, grants, conveyances, donations or devises for use of public free schools of said city and district and power to levy taxes, to issue and dispose of bonds and provide for payment of same, to borrow money, to appoint depositories for the funds of said board, to adopt text-books and to do all acts authorized by this law, and providing for an emergency; and repealing an act passed at the Regular Session of the Twenty-eighth Legislature of the State of Texas, Chapter CXXVIII of the General Laws, incorporating the Independent School District of the city of San Antonio; repealing an act passed at the Regular Session of the Twenty-ninth Legislature of the State of Texas, Chapter 96 of the General Laws, entitled 'An Act to amend Section 17 of an act incorporating the trustees of the Independent School District of the city of San Antonio, Texas, passed at the Regular Session of the Twenty-eighth Legislature of the State of Texas, Chapter CXVIII of the General Laws,' and declaring an emergency."

Have had same under consideration, and report that we have adjusted the differences existing between the two houses, and agreed upon the following amendment:

Amend Section 6 so as to read as follows:

"Sec. 6. Said board shall have exclusive authority to recognize and validate teachers' certificates issued by other towns, cities or States, and shall manage and control the public free schools within said district."

And report the bill back with said amendment, which embodies our agreement, and the adjustment of the differences.

GREEN,
SKINNER,
TERRELL,

On part of the Senate.

JAMES,
ONION,
COCKE,
McCALLUM,
COBBS,

On part of the House.

On motion of Senator Green, the Conference Committee report was adopted by the following vote:

Yeas—21.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Cunningham.	Meachum.
Glasscock.	Murray.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Willacy.
Holsey.	

Absent.

Faust.	Stokes.
Hudspeth.	Veale.
Mayfield.	Watson.
Smith.	

Absent—Excused.

Chambers.	Paulus.
Greer.	

Senator Green moved to reconsider the vote by which the report was adopted, and lay that motion on the table.

The motion to table prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 8.

Senator Looney offered the following Conference Committee report:

Committee Room,

Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, Lieutenant Governor, and Hon. Thomas B. Love, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, to whom was referred

Senate bill No. 8, A bill to be entitled "An Act to prohibit railway companies, street railway companies, interurban railway companies or any other chartered common carrier or transportation companies, or express or sleeping car companies, or the receivers or lessees thereof, or their officers, agents or servants in this State, from carrying persons free of charge, or carrying property free of charge, or giving to or for any person or passenger, a free pass or authority to travel or pass free or to have property transported free over any line or lines owned, operated or controlled by any such company in this State and naming certain persons who are excepted from the prohibition; also prohibiting any of said companies, their officers, agents, employes, receivers or lessees from discriminating among persons in rates and services; prohibiting any person not excepted from using or enjoying such free pass or free transportation, or from becoming the beneficiary of any discrimination, and prescribing suitable penalties, fines and imprisonment for the violation of the provisions of this act; providing for prosecutions, fixing venue of suits, and appropriating any penalties that may be collected hereunder,"

Have had the same under consideration, and beg to report that we have adjusted the differences existing between the two houses and report the bill which embodies our agreement and the adjustment of the differences, as follows:

S. B. No. 8.

By Looney.

A BILL

To Be Entitled

An Act to prohibit railway companies, street railway companies, interurban railway companies or any other chartered common carrier or transportation companies or express or sleeping car companies, or telegraph or telephone companies or the receivers or lessees thereof, or their officers, agents or servants in this State from carrying persons free of charge or carrying property free of charge or transmitting messages free of charge or giving to or for any person or pas-

senger a free pass or authority to travel or pass free or to have property or messages transported free over any line or lines owned, operated or controlled by any such company in this State, and naming certain persons who are excepted from the prohibition; and also prohibiting any of said companies, their officers, agents, employes, receivers or lessees from discriminating among persons in rates and service; prohibiting any person not excepted from using or enjoying such free pass or free transportation, or from becoming the beneficiary of any discrimination, and prescribing suitable penalties, fines and imprisonment for the violation of the provisions of this act; providing for prosecutions, fixing venue of suits, and appropriating any penalties that may be collected hereunder.

Be it enacted by the Legislature of the State of Texas:

Section 1. That if any steam or electric railway company, street railway company, interurban railway company or other chartered transportation company, express company, sleeping car company, telegraph or telephone company or person or association of persons operating the same or the receivers or lessees thereof or any officer, agent or employe of any such company in this State, shall knowingly haul or carry any person or property free of charge or give or grant to any person, firm, association of persons, or corporation, a free pass, frank, a privilege or a substitute for pay or a substitute which is used or which is given to be used instead of the regular fare or rate for transportation, or any authority or permit whatsoever to travel or to pass or convey or transport any person or property free, or sell any transportation for anything except money or for any greater or less rate than is charged to all persons under the same conditions, over any railway or other transportation line or part of line, in this State; or shall knowingly permit any person to transmit any message free in this State, or shall give any frank or right of privilege to transmit messages free in this State, or property free of charge or for greater or less fare or rate than is charged other persons in this State for similar service; except such persons as are hereinafter exempted under the provisions of this act, shall be guilty of a misdemeanor, and upon conviction in any action brought on this account, and for that purpose, shall pay to the State of Texas the sum of \$5,000 for each and

every act which violates the provisions of this section; and any person, president, director, officer, employe or agent of any such corporation or association of persons who shall sell any transportation for anything except money or knowingly give, grant, issue or cause to be issued a free pass, a frank, a privilege or any substitute for or in lieu thereof for the transportation of any person, article or thing, or the sending or transmitting any messages over wire or other means of transmitting messages in this State except to such persons as are hereinafter exempted from the provisions of this act, shall be deemed guilty of a felony under the laws of this State and upon conviction for such act shall be punished by a fine of not less than \$500 nor more than \$2000, and may in addition thereto, in the discretion of the jury, be imprisoned in the penitentiary for a term of not less than six (6) months nor more than two (2) years.

Sec. 2. That the provisions of Section one (1) of this act shall not be held to prohibit any steam or electric or interurban railway company or chartered transportation company or sleeping car company or the receivers or lessees thereof or persons operating the same, or the officers, agents or employes thereof from granting free or exchanging free passes, franks, privileges, substitute for pay or other thing herein prohibited, to the following persons:

The actual bona fide employes of any of such companies and the dependent members of their immediate families. The term employe shall be construed to embrace the following persons only: All persons actually employed and engaged in the service of any of such companies, including its officers, bona fide ticket, passenger and freight agents, physicians, surgeons and general attorneys and attorneys who appear in courts of record to try cases and who receive a reasonable annual salary, and also ex-employes within four (4) months after leaving the service of any of such companies and while seeking employment. Also persons actually employed on sleeping cars, express cars, linemen of telegraph and telephone companies, newsboys employed on trains, railway mail service employes, postoffice inspectors, chairman and bona fide members of grievance committees of employes, bona fide custom and immigration inspectors employed by the government, the State Health Officer and one assistant, and Federal health officers, also when live stock, poultry, fruit, mel-

ons, or other perishable produce is shipped, the necessary caretakers while en route and return, also trip passes to the indigent poor when application therefor is made by any religious or charitable organization, sisters of charity, also persons injured in wrecks upon the road of any such company immediately after such injury and the physicians and nurses attending such persons at the time thereof, also persons and property carried in cases of general epidemic, pestilence or other calamitous visitations at the time thereof, or immediately thereafter. Also the State Rangers, sheriffs or other bona fide elective peace officers whose duties are to execute criminal processes, provided that if any such railroad or transportation company shall grant to any sheriff, a free pass over its line of railroad, then it shall issue like free transportation to each and every Sheriff in this State who may make to it written application therefor, and provided further that said sheriffs and other peace officers above mentioned using such free passes or transportation shall deduct the money value of the same, at the legal rate per mile from any mileage accounts against the State and litigants earned by them in executing process when such pass was used or could have been used; also members of the Live Stock Sanitary Commission of Texas, not exceeding twelve (12) in number for any one year; provided, that nothing in this act shall prevent any such companies, the receivers or lessees thereof, or the officers, agents or employes from granting to ministers of religion reduced rates of one-half ($\frac{1}{2}$) the regular fare, nor shall anything in this act prevent any such companies, their receivers or lessees from transporting free of charge any article being sent to any orphan home or other charitable institution; provided further, that nothing in this act shall be construed to prohibit any such companies, their receivers or lessees or officers, agents or servants from making special rates for special occasions or under special conditions, but no such rate shall ever be made without first obtaining authority from the Railroad Commission of Texas; and provided further that no persons who hold any public office in this State shall at any time during their term of office be entitled to any such free pass or transportation, privilege or franks or substitute for fare or charges over any railway or other company mentioned in Section one (1) of this act, except employes operating trains when in the actual discharge of their duties as such and the officers hereinbefore

exempted; provided further, that nothing in this act shall prohibit any street railway company from transporting free of charge, police officers and firemen in any city where said company is authorized so to do by any ordinance or authority from the city council of any such city; provided, however, that no person or persons, beneficiaries of free transportation herein permitted, shall ride on a free pass or enjoy free transportation to or from any political convention or on any political errand. That nothing in this act shall prohibit any express company from hauling or carrying free of charge the packages and property of its actual and bona fide officers, attorneys, agents and employes who are actually in the employment of any such company, its receivers or lessees at the time when such free transportation or the right thereto is given. And provided further, that nothing in this act shall be construed to prohibit any telegraph or telephone company from carrying and transmitting free of charge the messages of its bona fide officers, attorneys, agents and employes who are actually in the employment of such company, its receivers or lessees at the time when such free transmission or the right thereto is given.

Sec. 3. If any person shall present, or offer to use in his own behalf, any permit or frank, whatsoever, to travel, pass or to convey any person or property or message which has been issued to any other person or shall, knowing that he is not entitled under the provisions of this act, apply to any railway, express, telegraph or telephone company, officer, agent, lessee, or receiver thereof for any free pass, frank, privilege or a substitute for pay given or to be used instead of the regular fare or rate for transportation or for any other consideration except money, he shall be deemed guilty of a misdemeanor and upon conviction shall be punished by confinement in the county jail for not less than thirty days and not more than twelve months and by a fine of not less than \$100 and not more than one thousand dollars (\$1000).

Sec. 4. No company subject to the provisions of this act shall, directly or indirectly, by any special rate, rebate, drawback or other device or exchange demand, charge collect or receive from any person, firm, association of persons or corporation a greater or less or different compensation for any service rendered or to be rendered, in the transportation of passengers, property or messages than it charges, demands, collects or receives from any other person, firm, association of persons or corporation for doing for

him, them or it a like service, if the transportation or transmission is a like kind of traffic or service under substantially similar circumstances and conditions, and any such company violating this provision shall be deemed guilty of a misdemeanor, and for each offense, on conviction, shall pay to the State of Texas a penalty of five thousand dollars.

Sec. 5. That each and all companies subject to the provisions of this act, their receivers and lessees, shall report annually on such dates as may be fixed by the Railroad Commission of this State the name and residence of each and every person to whom free transportation or right thereto was given to travel or to have his property or messages transported or transmitted over its transportation, express, sleeping car or railway or telegraph or telephone line; and any company violating this provision shall be deemed guilty of a misdemeanor, and for each offense, on conviction, shall pay to the State of Texas a penalty of one thousand dollars.

Sec. 6. Any person other than the person excepted in this act, who uses any such free ticket, free pass or free transportation, frank or privilege over any railway or other transportation line or sleeping or express car, telegraph or telephone line mentioned in this act, for any distance under the control and operation of either of said companies subject to the provisions of this act or under their authority, or shall knowingly and wilfully by any means or device whatsoever obtain, use or enjoy from any such company a less fare or rate than is charged, demanded, collected or received by any such company from any other person, firm, association of persons or corporations for doing for him, them or it, a like service if the transportation of service is of a like kind of traffic or service under substantially similar circumstances and conditions, such person or such officer or agent who acts for such corporation or company thus favored, shall be guilty of a misdemeanor, and on conviction for each offense, shall be fined not less than \$100 and not more than \$1000.

Sec. 7. Any director, officer, agent or any receiver, trustee, lessee or person acting for or employed by any company subject to the provisions of this act, who alone or with any other corporation, company, person or party, shall wilfully do or cause to be done, or shall wilfully suffer or permit to be done any act, matter or thing in this act prohibited or declared to be unlawful, or who

shall aid or abet therein, or shall wilfully omit or fail to do any act, matter or thing in this act required to be done, or shall cause or wilfully suffer or permit any act, matter or thing so directed, required by this act to be done, not to be done, or shall aid or abet any such omission or failure, or shall be guilty of any infraction of this act or shall aid or abet therein, shall be deemed guilty of a misdemeanor and shall, upon conviction, be subject to a fine of not less than \$100 nor more than \$1000, and if the offense for which any person shall be convicted under this section shall be unlawful discrimination in rates, fares or charges for the transportation of passengers or property or the transmission of messages such person may, in addition to the fines hereinbefore provided for, at the discretion of the jury, be imprisoned in the penitentiary for a term of not less than six months nor more than two years.

Sec. 8. Suits brought under this act for the recovery of penalties may be brought in any court in this State having jurisdiction of the subject-matter in any county (1) where an act violative of the provisions hereof is committed; (2) where such company or receiver has an agent or representatives; (3) where the principal office of such company is situated or such receiver or receivers, or either, reside; and one-half ($\frac{1}{2}$) of all moneys collected under the provisions of this act, less the commission and expenses allowed by law, shall be paid into the State treasury and constitute a part of the general revenue of the State, and the remainder thereof shall be paid into the treasury of the county where such suit or suits may be maintained and constitute a part of the jury fund of such county.

Sec. 9. It is hereby made the duty of the Railroad Commission of Texas, the Attorney General and the district and county attorneys of this State, under the direction of the Attorney General to see that the provisions of this act are enforced and obeyed, and penalties due the State are recovered and collected; and said Commission shall report to the Attorney General all violations within their knowledge, with the facts in their possession, and request him to institute, or have instituted, the proper proceedings for the recovery of any penalty that may be due the State.

Sec. 10. In any investigation, suit or prosecution which may be had or instituted under the provisions of this act, the court or tribunal in which the

investigation, suit or prosecution is pending may compel all persons to attend and give testimony, and to produce such papers, books and documents as may be desired by the State and no person shall be exempt from giving testimony therein; provided, however, that no criminal action or proceedings shall be brought or prosecuted against such witness on account of any testimony so given or furnished by him.

Sec. 11. If any provision or provisions of this act which exempt or except any person, corporation or class of persons from the operation and effects of this act, or which authorize any such persons, corporations or class of persons to give, grant, issue, receive or accept free transportation or transportation at any rate other than is granted to any and all persons of this State shall be held unconstitutional or invalid, such holding as to any such provision or provisions shall not invalidate any other portion of this act.

LOONEY,
SKINNER,
BRACHFIELD,
CHAMBERS,
SMITH.

On part of the Senate.

GAFFORD,
HAMILTON,
GRAHAM,
BRYAN.

On part of the House.

SENATE BILL NO. 72.

On motion of Senator Brachfield, the pending order of business (Senate bill No. 160) was suspended, the Senate took up, out of its order, Senate bill No. 72.

The Chair laid before the Senate, on second reading,

Senate bill No. 72, A bill to be entitled "An Act to amend Chapter 8, Title XXX, of the Revised Civil Statutes of 1895, by adding thereto Article 1269a, and repealing all laws in conflict therewith; relating to the pleadings of the defendant and for changing venue where a plea of privilege to be sued in a different court or county is sustained and declaring an emergency."

(Senator Barrett presiding.)

Senator Glasscock offered the following amendment:

Amend as follows: By inserting after the word "order," in line 15, page 1, Section 1, the following words: "Unless there is an appeal taken from the court in sustaining such plea."

Senator Looney offered the following substitute for the amendment:

Amend Senate bill No 72, by adding to the word "changed," line 21, the following: "Provided, that nothing in this act shall prevent the plaintiff from excepting to the judgment of the court in sustaining a plea of privilege and in appealing therefrom."

(Senator Meachum presiding.)

The substitute amendment by Senator Looney for the amendment by Senator Glasscock was adopted.

The amendment, as substituted, was then adopted.

Senator Harper offered the following amendment, which was adopted:

Amend the bill, line 17, page 1, by adding after the word "clerk," the following, "or justice of the peace."

Senator Harper offered the following amendment, which was adopted:

Amend the bill, line 20, page 1, by adding after the word "court," the following, "or justice of the peace."

Senator Harper offered the following amendment, which was adopted:

Amend the bill, line 14, page 1, by inserting after the words "than the county," the words "or precinct."

Senator Harper offered the following amendment, which was adopted:

Amend the bill, line 14, page 1, by inserting after the words "some other county," the words "or precinct."

Senator Harper offered the following amendment, which was adopted:

Amend the bill, line 16, page 1, by adding after the word "county," the following, "or precinct."

Senator Harper offered the following amendment, which was adopted:

Amend the caption, line 10, page 1, by adding after the word "county," the following, "or precinct."

Senator Skinner offered the following amendment, which was adopted:

Amend by adding thereto the following: "And provided, further, that when a suit has been filed in some county other than the one in which the defendant resides and a plea of privilege by defendant to be sued in the proper court in the county of his residence is sustained, a reasonable attorney's fee shall be allowed to defendant for presenting and prosecuting such plea of privilege."

Senator Mayfield offered the following amendment:

Amend Senate bill 72, page 1, by adding the following:

"Section 2. It shall be unlawful for any district or county judge or justice of the peace in this State to wrongfully assume and take jurisdiction over the person of any defendant, who is an inhabitant of this State, and who resides

and has his domicile out of the county, where the suit was or may be hereafter filed; and over matters in controversy not within the jurisdiction of said courts as provided for by the 26 exemptions under Article 1194, Sayles Texas Civil Statutes, from bottom pages 430 to 437, inclusive.

"Sec. 3. That any judge or justice of the peace violating this law shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than \$200.00 nor more than \$2000.00 and shall forfeit his office and forever thereafter be ineligible to hold any office in the State of Texas.

"Sec. 4. That the district court of the county of the residence and domicile of the defendants or either of them at the time the said judge or justice of the peace assumed wrongful jurisdiction over the defendant, shall have exclusive jurisdiction over the persons charged with the violation of this law.

"Sec. 5. That all laws and parts of laws in conflict herewith be and the same are hereby expressly repealed."

(Lieutenant Governor Davidson presiding.)

Senator Smith moved to table the amendment by Senator Mayfield, which motion to table was adopted by the following vote:

Yeas—21.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Meachum.
Chambers.	Murray.
Cunningham.	Senter.
Glasscock.	Skinner.
Green.	Smith.
Griggs.	Stone.
Harbison.	Terrell.
Harper.	Willacy.
Kellie.	

Nays—4.

Grinnan.	Hudspeth.
Holsey.	Mayfield.

Absent.

Faust.	Veale.
Stokes.	Watson.

Absent—Excused.

Greer.	Paulus.
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Bill read second time and ordered engrossed.

On motion of Senator Brachfield, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third

reading and final passage by the following vote:

Yeas—25.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Glasscock.	Murray.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Holsey.	Willacy.
Hudspeth.	

Absent.

Faust.	Veale.
Stokes.	Watson.

Absent—Excused.

Greer.	Paulus.
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The bill was read third time and passed by the following vote:

Yeas—25.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Glasscock.	Murray.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Holsey.	Willacy.
Hudspeth.	

Absent.

Faust.	Veale.
Stokes.	Watson.

Absent—Excused.

Greer.	Paulus.
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Senator Brachfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

FREE CONFERENCE COMMITTEE ON HOUSE BILL NO. 274.

The Chair here announced the appointment of the following Free Conference Committee on House bill No. 274:

Senators Harper, Green, Murray, Barrett and Chambers.

SIMPLE RESOLUTION.

Senator Looney offered the following resolution, which was read and adopted:

Resolved, That the night sessions of the Senate as contemplated by resolution adopted by the Senate March 11, be continued until suspended by action of the Senate.

SENATE BILL NO. 200.

On motion of Senator Glasscock, the pending order of business (Senate bill No. 160) was suspended, and the Senate took up out of its order, Senate bill No. 200, by the following vote:

Yeas—23.

Alexander.	Hudspeth.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Glasscock.	Meachum.
Green.	Senter.
Griggs.	Smith.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Willacy.
Holsey.	

Absent.

Faust.	Stokes.
Murray.	Veale.
Skinner.	Watson.

Absent—Excused.

Greer.	Paulus.
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The Chair laid before the Senate, on second reading,

Senate bill No. 200, A bill to be entitled "An Act to amend Section 15 of Chapter 94, Acts of the Twenty-eighth Legislature of the State of Texas, entitled 'An Act to define, prohibit and declare illegal trusts, monopolies and conspiracies in restraint of trade, and to prescribe penalties for forming or being connected with such trusts, monopolies and conspiracies and to provide for the suppression of same, and to promote free competition in the State of Texas, and to repeal all laws in conflict therewith,' and declaring an emergency."

Bill read second time and ordered engrossed.

On motion of Senator Glasscock, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Hudspeth.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Glasscock.	Meachum.
Green.	Murray.
Griggs.	Senter.
Grinnan.	Skinner.
Harbison.	Stone.
Harper.	Terrell.
Holsey.	Willacy.

Absent.

Faust.	Veale.
Smith.	Watson.
Stokes.	

Absent—Excused.

Greer.	Paulus.
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The bill was read third time, and passed by the following vote:

Yeas—24.

Alexander.	Hudspeth.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Glasscock.	Meachum.
Green.	Murray.
Griggs.	Senter.
Grinnan.	Skinner.
Harbison.	Stone.
Harper.	Terrell.
Holsey.	Willacy.

Absent.

Faust.	Veale.
Smith.	Watson.
Stokes.	

Absent—Excused.

Greer.	Paulus.
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Senator Glasscock moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 181.

On motion of Senator Senter, the pending order of business (Senate bill No. 160) was suspended, and the Senate took up, out of its order, Senate bill No. 181.

The Chair laid before the Senate, on second reading,

Senate bill No. 181, A bill to be en-

titled "An Act to create a Judiciary Commission, to prepare and submit to the Thirty-first Texas Legislature drafts of constitutional amendments and bills and measures for the improvement of the judiciary system and court procedure of Texas."

Senator Senter offered the following amendment, which was adopted:

Amend the bill Section 1, line 18, by adding after the word "shall" at the end of the line the word "have."

Senator Senter offered the following amendment, which was adopted:

Amend the bill by adding Section 5 to read as follows:

"Sec. 5. The necessity that exists for reforms in court procedure and the fact that the end of the session of the Legislature is approaching creates a public necessity that the Constitutional rule requiring that the bill be read on three several days in each house be suspended, and the same is hereby suspended and that this act take effect from and after its passage and it is so enacted."

Change the number of Section 5 in the printed bill to read Section 6.

Senator Glasscock offered the following amendment, which was adopted:

Amend by adding to Section 4, line 18, page 2, the following words: "Provided that the members and secretary of said commission shall not receive compensation under this act for more than twelve months."

Senator Green offered the following amendment, which was adopted:

Amend the bill by adding after the word "courts," page 2, line 5, the following:

"To generally improve, simplify, render more speedy and less costly the practice and procedure in administration and guardianship matters."

Senator Meachum offered the following amendment, which was adopted:

Amend the printed bill, page 1, line 11, by striking out all after the word "Governor," in said line, down to the word "Board," in line 12, and insert in lieu thereof the words "shall appoint a."

Senator Meachum offered the following amendment, which was adopted:

Amend the bill on page 1, line 14, after the word "members," by adding the following, "none of which shall be related directly or indirectly to any judge of any court in this State or any officer or employe of any court within this State."

Senator Alexander offered the following amendment:

Strike out "four hundred (\$400)," in

line 13, page 2 of the bill, and insert "three hundred (\$300)."

Senator Skinner moved to table the amendment, which motion to table was lost by the following vote:

Yeas—11.

Barrett.	Harbison.
Brachfield.	Hudspeth.
Chambers.	Looney.
Cunningham.	Senter.
Griggs.	Skinner.
Grinnan.	

Nays—12.

Alexander.	Mayfield.
Faust.	Meachum.
Green.	Smith.
Harper.	Stone.
Holsey.	Terrell.
Masterson.	Willacy.

Absent.

Glasscock.	Stokes.
Kellie.	Veale.
Murray.	Watson.

Absent—Excused.

Greer.	Paulus.
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The amendment was then adopted.

Senator Skinner offered the following amendment:

Amend the bill by striking out all after "have," in line 15, page 1, down to "said" in line 16, page 1, and insert in lieu thereof the following, "practiced law for at least fifteen years in the State of Texas."

Senator Meachum offered the following amendment to the amendment:

Amend the amendment by striking out "fifteen years," and insert in lieu thereof "ten years."

Senator Skinner moved to table the amendment to the amendment, which motion to table was adopted.

The amendment was then adopted.

Senator Meachum offered an amendment, providing that the Lieutenant Governor shall appoint the judiciary commission, provided for in the bill, instead of the Governor as provided therein.

Lieutenant Governor Davidson, presiding, stated that he would rule the amendment out of order because it was attempting to bestow power contrary to the Constitution, as limited in Sections 16, 17 and 18 of Article 4. The Chair further stated that the sections mentioned did not authorize the Legislature to confer the power of appointment on the Lieutenant Governor, as attempted

in the amendment, hence he would be forced to rule it out of order, as it would clearly be unconstitutional.

Senator Meachum then withdrew the amendment.

SIMPLE RESOLUTION.

By Senator Meachum:

Whereas, It is the desire of this body to have the Hon. Chas. A. Culberson visit the Legislature and deliver an address before its adjournment; therefore, be it

Resolved, By the Senate that a most cordial invitation be and the same is hereby extended to the said Hon. Chas. A. Culberson to address the Legislature at such time during the present session as may suit his convenience; be it further

Resolved, That a copy of this resolution under the attest of the President and Secretary of the Senate be transmitted to said Chas. A. Culberson for his consideration.

MEACHUM,
SKINNER,
ALEXANDER,
HOLSEY.

The resolution was read and unanimously adopted.

ADDITION TO COMMITTEE.

Senator Harper moved that Senator Stone be added to Committee on Mining and Irrigation.

The motion prevailed.

EXCUSED.

On motion of Senator Faust, Senator Veale was excused from attendance upon the Senate for Saturday and until the 23rd of this month, on account of business.

RECESS.

On motion of Senator Cunningham, the Senate, at 12:30 o'clock, recessed until 2:30 o'clock today.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

SENATE BILL NO. 181.

Action recurred on Senate bill No. 181, and

The bill was read second time, and ordered engrossed by the following vote:

Yeas—14.

Alexander.	Grinnan.
Barrett.	Holsey.
Chambers.	Kellie.
Faust.	Meachum.
Glasscock.	Senter.
Green.	Skinner.
Griggs.	Willacy.

Nays—7.

Brachfield.	Smith.
Harper.	Stone.
Looney.	Terrell.
Murray.	

Absent.

Cunningham	Mayfield.
Harbison.	Stokes.
Hudspeth.	Watson.
Masterson.	

Absent—Excused.

Greer.	Veale.
Paulus.	

Senator Senter moved to reconsider the vote by which the bill was passed to engrossment, and lay that motion on the table.

The motion to table prevailed.

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House

Grants the request of the Senate for the appointment of a Free Conference Committee on Senate bill No. 94, and the following has been appointed on part of the House: Messrs. Henderson, Jenkins, Fuller, McDonald and Smith.

Also adopted the report of the Conference Committee on Senate bill No. 203 by the following vote: Yeas, 92; nays, 0.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 125.

On motion of Senator Barrett, the pending order of business (Senate bill No. 160) was suspended, and the Senate took up, out of its order, House bill No. 125 by the following vote:

Yeas—17.

Barrett.	Cunningham.
Brachfield.	Faust.

Glasscock.	Meachum.
Green.	Murray.
Griggs.	Senter.
Harper.	Skinner.
Holsey.	Stone.
Kellie.	Willacy.
Looney.	

Nays—5.

Alexander.	Smith.
Chambers.	Terrell.
Grinnan.	

Absent.

Harbison.	Mayfield.
Hudspeth.	Stokes.
Masterson.	Watson.

Absent—Excused.

Greer.	Veale.
Paulus.	

The Chair laid before the Senate, on second reading,

House bill No. 125, A bill to be entitled "An Act to amend Article 5047, Chapter 1, Title CIV, of the Revised Civil Statutes of 1895, relative to ad valorem taxes for free school purposes, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted, on motion of Senator Barrett.

Bill read second time, and passed to a third reading.

On motion of Senator Barrett, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Senter.
Green.	Skinner.
Griggs.	Stone.
Harper.	Terrell.
Holsey.	Willacy.
Hudspeth.	

Nays—4.

Glasscock.	Murray.
Grinnan.	Smith.

Absent.

Harbison.	Watson.
Stokes.	

Absent—Excused.

Greer.	Veale.
Paulus.	

The bill was read third time, and passed by the following vote:

Yeas—18.

Alexander.	Holsey.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Glasscock.	Meachum.
Green.	Senter.
Griggs.	Skinner.
Harper.	Willacy.

Nays—7.

Faust.	Smith.
Grinnan.	Stone.
Hudspeth.	Terrell.
Murray.	

Absent.

Harbison.	Watson.
Stokes.	

Absent—Excused.

Greer.	Veale.
Paulus.	

Senator Barrett moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 177.

On motion of Senator Terrell, the pending order of business (Senate bill No. 160) was suspended, and the Senate took up, out of its order, Senate bill No. 177.

The Chair laid before the Senate, on second reading,

Senate bill No. 177, A bill to be entitled "An Act to amend Chapter XCIV, page 119, of the Acts of the Twenty-eighth Legislature, entitled 'An Act to define, prohibit and declare illegal trusts, monopolies and conspiracies in restraint of trade and to prescribe penalties for forming or being connected with such trusts, monopolies and conspiracies, and to provide for the suppression of the same, and to promote free competition in the State of Texas, and to repeal all laws in conflict herewith,' by adding to said law Section 18, concerning punishment, for violation thereof; Section 19, with reference to venue; Section 20, with reference to the duties of district and county attorneys and the Attorney General, and Section 21, concerning fees."

Senator Terrell offered the following amendment, which was adopted:

Amend the bill by striking out of

line 23, on page 1, the following: "In this act," and insert in lieu thereof the following: "By Chapter XCIV of the Acts of the Twenty-eighth Legislature, which chapter this act amends."

Senator Terrell offered the following amendment, which was adopted:

Amend the bill by striking out of line 1, on page 2, the following: "Of this act," and insert in lieu thereof the following: "Of Chapter XCIV of the Acts of the Twenty-eighth Legislature, which chapter this act amends."

Senator Terrell offered the following amendment, which was adopted:

Amend the bill by striking out of line 21, page 2, the following: "This act," and insert in lieu thereof the following: "Chapter XCIV of the Acts of the Twenty-eighth Legislature, which chapter this act amends."

Senator Terrell offered the following amendment, which was adopted:

Amend the bill by striking out of line 29, on page 2, the following: "This act," and insert in lieu thereof the following: "Chapter XCIV of the Acts of the Twenty-eighth Legislature, which chapter this act amends."

Senator Terrell offered the following amendment, which was adopted:

Amend the bill by striking out of line 30, on page 2, the following: "This act," and insert in lieu thereof the following: "Chapter XCIV of the Acts of the Twenty-eighth Legislature, which chapter this act amends."

Senator Terrell offered the following amendment, which was adopted:

Amend the bill by striking out the word "this" at the end of line 3, on page 2, and the word "act," at the beginning of line 4, on same page, and inserting in lieu thereof the following: "The provisions of Chapter XCIV of the Acts of the Twenty-eighth Legislature, which chapter this act amends."

Senator Terrell offered the following amendment, which was adopted:

Amend the bill by striking out of line 7, page 2, the following: "This act," and insert in lieu thereof the following: "Chapter XCIV of the Acts of the Twenty-eighth Legislature, which chapter this act amends."

Senator Terrell offered the following amendment, which was adopted:

Amend the bill by striking out of line 31, on page 2, the following: "This act," and insert in lieu thereof the following: "Chapter XCIV of the Acts of the Twenty-eighth Legislature, which Chapter this act amends."

Senator Terrell offered the following amendment, which was adopted:

Amend the bill by adding thereto Section 22, which shall read as follows:

"Sec. 22. The fact that many trusts, monopolies and conspiracies in restraint of trade are now in operation in this State creates an emergency and an imperative public necessity which requires that the constitutional rule which requires that bills be read on three several days should be suspended, and that this bill take effect from and after its passage, and it is so enacted."

Senator Glasscock offered the following amendment, which was adopted:

Amend by striking out the word and figures, "Section 18," in line 26, page 2, Section 18.

Senator Masterson offered the following amendment:

Amend the bill by inserting after the word "persons," in line 1, page 2, the word "knowingly."

The amendment was lost.

Senator Meachum offered the following amendment, which was adopted:

Amend the bill on page 2, line 18, of the printed bill, by inserting after the word "the," and before the word "laws," in said line 18, page 2, the words "anti-trust."

Senator Grinnan offered the following amendment, which was adopted:

Amend by adding after the word "Section 19" the following: "A recovery or prosecution against one person for any violation of this act shall not bar a prosecution of or recovery against any other person or persons for the same offense."

Senator Murray offered the following amendment:

Amend the bill by adding after the word "shall," in line 27, page 1, the word "knowingly," and by adding after the word "shall," in line 6, page 2, the word "knowingly," and after the word "shall," in line 31, page 2, add the word "knowingly."

(President Pro Tem. Skinner presiding.)

Senator Terrell moved to table the amendment, which motion to table was adopted by the following vote:

Yeas—16.

Barrett.	Harper.
Chambers.	Holsey.
Cunningham.	Hudspeth.
Glasscock.	Looney.
Green.	Mayfield.
Griggs.	Senter.
Grinnan.	Smith.
Harbison.	Terrell.

Nays—9.

Alexander.	Murray.
Brachfield.	Skinner.
Faust.	Stone.
Masterson.	Willacy.
Meachum.	

Absent.

Kellie.	Watson.
Stokes.	

Absent—Excused.

Greer.	Veale.
Paulus.	

Bill read second time and ordered engrossed.

On motion of Senator Terrell, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Alexander.	Holsey.
Barrett.	Hudspeth.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Faust.	Murray.
Glasscock.	Senter.
Green.	Skinner.
Griggs.	Smith.
Grinnan.	Terrell.
Harbison.	Willacy.
Harper.	

Nays—2.

Meachum.	Stone.
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Absent.

Kellie.	Watson.
Stokes.	

Absent—Excused.

Greer.	Veale.
Paulus.	

The bill was read third time and passed by the following vote:

Yeas—25.

Alexander.	Harbison.
Barrett.	Harper.
Brachfield.	Holsey.
Chambers.	Hudspeth.
Cunningham.	Looney.
Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Meachum.
Griggs.	Murray.
Grinnan.	Senter.

Skinner.	Terrell.
Smith.	Willacy.
Stone.	

Absent.

Kellie.	Watson.
Stokes.	

Absent—Excused.

Greer.	Veale.
Paulus.	

Senator Terrell moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 223.

On motion of Senator Cunningham, the pending order of business (Senate bill No. 160) was suspended, and the Senate took up, out of its order, Senate bill No. 223.

The Chair laid before the Senate, on second reading,

Senate bill No. 223, A bill to be entitled "An Act to authorize either the State or the defendant, by a written request filed among the papers in any cause in which the defendant may have been convicted of a violation of the local option law prohibiting the sale of intoxicating liquors in local option territories to have the appeal therefrom sent to that branch of the Court of Criminal Appeals then in session or at which such appeals can be soonest reached and decided when there arises any constitutional question or an irregularity or illegality in any prohibition election."

Bill read second time and ordered engrossed.

On motion of Senator Cunningham, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Alexander.	Hudspeth.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Senter.
Green.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Willacy.
Holsey.	

Absent.

Kellie. Watson.
Stokes.

Absent—Excused.

Greer. Veale.
Paulus.

The bill was read third time and passed.

Senator Cunningham moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 22.

On motion of Senator Looney, the pending order of business (Senate bill No. 160) was suspended, and the Senate took up, out of its order, Senate bill No. 22.

The Chair laid before the Senate on second reading,

Senate bill No. 22, A bill to be entitled "An Act on the subject of insurance, providing the amount due in case of partial loss on real estate; also for the collection of reasonable attorney's fees by the insured on any loss in addition to the amount thereof on failure of the insured to settle according to contract; providing for tender by the insurer and defining the same; providing what shall be a compliance with the 'iron safe' clause, and declaring the statements thereof representations only; and repealing all laws or parts of laws in conflict herewith."

(Lieutenant Governor Davidson presiding.)

Senator Looney offered the following amendment, which was adopted:

Amend Senate bill No. 22 by inserting after the end of the word "insured," line 23, the following, "or under any accident, health, casualty, indemnity or marine insurance."

Senator Griggs offered the following amendment:

Amend the bill by striking out all after the word "contract," line 11, page 2, down to and including the word "taken," in line 14, page 2.

Senator Brachfield offered the following substitute for the amendment:

Amend by striking out Section 3.

Senator Skinner moved to table the amendment and the substitute, and a division of the question was called for.

The motion to table the substitute prevailed.

The motion to table amendment prevailed by the following vote:

Yeas—18.

Alexander.	Kellie.
Barrett.	Looney.
Chambers.	Mayfield.
Cunningham.	Meachum.
Green.	Skinner.
Grinnan.	Smith.
Harper.	Stone.
Holsey.	Terrell.
Hudspeth.	Willacy.

Nays—7.

Brachfield.	Harbison.
Faust.	Murray.
Glasscock.	Senter.
Griggs.	

Absent.

Masterson.	Watson.
Stokes.	

Absent—Excused.

Greer.	Veale.
Paulus.	

Senator Skinner offered the following amendment, which was adopted:

Amend the bill, Section 3, page 2, by striking out of lines 5 and 6 the following language, "the statements therein shall be deemed and held representations and not warranties, and."

Senator Skinner offered the following amendment, which was adopted.

Amend the bill by inserting after the word "time," in line 14, page 2, the following, "within twelve months."

Senator Senter offered the following amendment:

Amend the bill by inserting after the word "loss," in line 10, Section 3, the words, "in accordance with the provisions of said 'iron safe' clause with respect to the ascertainment of the amount of the loss."

Pending.

REFUSE TO RECESS.

Senator Harbison, at 5:50 o'clock, moved that the Senate recess until 8 o'clock tonight.

The motion was lost by the following vote:

Yeas—11.

Barrett.	Hudspeth.
Cunningham.	Kellie.
Faust.	Meachum.
Glasscock.	Senter.
Griggs.	Willacy.
Harbison.	

Nays—14.

Alexander.	Brachfield.
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Chambers.	Mayfield.
Green.	Murray.
Grinnan.	Skinner.
Harper.	Smith.
Holsey.	Stone.
Looney.	Terrell.

Absent.

Masterson.	Watson.
Stokes.	

Absent—Excused.

Greer.	Veale.
Paulus.	

SENATE BILL NO. 22.

Action recurred on Senate bill No. 22, the question being on Senator Senter's amendment.

Senator Chambers moved the previous question on the amendment and the engrossment of the bill.

The motion was seconded, and was lost by the following vote:

Yeas—10.

Barrett.	Looney.
Chambers.	Murray.
Cunningham.	Skinner.
Griggs.	Smith.
Kellie.	Stone.

Nays—13.

Alexander.	Harper.
Brachfield.	Holsey.
Faust.	Mayfield.
Glasscock.	Meachum.
Green.	Senter.
Grinnan.	Willacy.
Harbison.	

Absent.

Hudspeth.	Terrell.
Masterson.	Watson.
Stokes.	

Absent—Excused.

Greer.	Veale.
Paulus.	

Senator Looney moved to table the amendment by Senator Senter.

RECESS.

On motion of Senator Meachum, the Senate, at 6:05 o'clock, recessed until 8 o'clock tonight.

AFTER RECESS.

(Night Session.)

The Senate was called to order by Lieutenant Governor Davidson.

SENATE BILL NO. 116.

The Chair laid before the Senate, on second reading, and as pending business from Friday night,

Senate bill No. 116, A bill to be entitled "An Act making it an offense, and providing a punishment therefor for any person to obtain in this State from another person, money upon false and fraudulent representations for employment or personal service."

On motion of Senator Chambers, the bill was laid on the table subject to call.

SENATE BILL NO. 265.

On motion of Senator Kellie, the Chair laid before the Senate, on second reading,

Senate bill No. 265, A bill to be entitled "An Act to amend an act passed by the Twenty-ninth Legislature, and known as Chapter 49, also known as House bill No. 565, and found on pages 398 to 440, inclusive, of the Special Laws of the State of Texas, passed at the Regular and First Called Session of the Twenty-ninth Legislature, convened at the city of Austin, January 15, 1905, and adjourned May 14, 1905, which act grants a special charter to the city of Beaumont and repeals the acts of the Legislature, granting a special charter to the said city, approved May 12, 1899, and amending Section 44 of said act by repealing the same and inserting in lieu thereof the following, also providing for an emergency."

The committee report, which provided that the bill be not printed, was adopted, on motion of Senator Kellie.

The bill was read second time and ordered engrossed.

REFUSE TO ADJOURN.

Senator Harbison moved that the Senate adjourn until tomorrow morning at 10 o'clock, and the motion was lost by the following vote:

Yeas—1.

Senter.

Nays—16.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Mayfield.
Chambers.	Murray.
Green.	Skinner.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Willacy.

Absent.

Cunningham.	Masterson.
Faust.	Meachum.
Glasscock.	Smith.
Harper.	Stokes.
Holsey.	Watson.
Hudspeth.	

Absent—Excused.

Greer.	Veale.
Paulus.	

Senator Looney here moved a call of the Senate to secure a quorum. The call being duly seconded, was so ordered.

The roll was called, the following Senators answering to their names:

Present—19.

Alexander.	Looney.
Barrett.	Mayfield.
Brachfield.	Murray.
Chambers.	Senter.
Glasscock.	Skinner.
Green.	Smith.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Willacy.
Kellie.	

Absent—9.

Cunningham.	Masterson.
Faust.	Meachum.
Harper.	Stokes.
Holsey.	Watson.
Hudspeth.	

Absent—Excused—3.

Greer.	Veale.
Paulus.	

The Senate stood at ease for five minutes, and

Senators Faust and Holsey were announced present, which completed a quorum.

(Senator Green presiding.)

SENATE BILL NO. 265.

Action recurred on House bill No. 265, and

On motion of Senator Kellie, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Alexander.	Faust.
Barrett.	Glasscock.
Brachfield.	Green.
Chambers.	Griggs.

Grinnan.	Senter.
Harbison.	Skinner.
Holsey.	Smith.
Kellie.	Stone.
Looney.	Terrell.
Mayfield.	Willacy.
Murray.	

Absent.

Cunningham.	Meachum.
Harper.	Stokes.
Hudspeth.	Watson.
Masterson.	

Absent—Excused.

Greer.	Veale.
Paulus.	

The bill was read third time and passed by the following vote:

Yeas—21.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Mayfield.
Chambers.	Murray.
Faust.	Senter.
Glasscock.	Skinner.
Green.	Smith.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Willacy.
Holsey.	

Absent.

Cunningham.	Meachum.
Harper.	Stokes.
Hudspeth.	Watson.
Masterson.	

Absent—Excused.

Greer.	Veale.
Paulus.	

Senator Kellie moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 15.

On motion of Senator Looney, the Chair laid before the Senate, on second reading,

Senate bill No. 15, A bill to be entitled "An Act on the subject of private corporations, prescribing the terms and conditions on which they may be chartered, the contents of the charters, their duties and the duties of their directors, officers and agents; and certain limitations and restrictions on their powers and the powers of their officers, directors and agents, prescribing terms and conditions under which their capital

stock may be increased and decreased, and providing for their dissolution and generally providing rules and regulations for their government and the conduct of their business; also prescribing the terms and conditions under which foreign corporations may be granted permits to do business in Texas, and the circumstances under which the permit is forfeited; also prescribing the duties of such corporations, their officers, directors and agents, and certain limitations and restrictions on their powers—providing suitable forfeitures, penalties, fines and imprisonment for the violation of the provisions of this act and repealing certain sections and articles of Title XXI of the Revised Statutes of this State.”

The question being on the committee report, which recommended the passage of the bill with amendments, and on motion of Senator Looney the report was adopted.

(Lieutenant Governor Davidson presiding.)

Senator Brachfield offered the following amendment:

Amend by striking out all after the word “thereof,” in line 28, page 3.

REFUSE TO ADJOURN.

Senator Smith moved that the Senate adjourn until tomorrow morning at 10 o'clock, and the motion was lost.

Senator Smith then moved that the Senate adjourn until tomorrow morning at 9:30 o'clock, and the point of order was raised that no business had been transacted since the motion to adjourn until 10 o'clock tomorrow, and the point of order was sustained.

Senator Smith then moved that further consideration of Senate bill No. 15 be postponed until the session tomorrow night.

The motion was lost by the following vote:

Yeas—8.

Green.	Mayfield.
Harbison.	Meachum.
Holsey.	Smith.
Looney.	Willacy.

Nays—13.

Alexander.	Harper.
Barrett.	Kellie.
Brachfield.	Murray.
Chambers.	Skinner.
Faust.	Stone.
Glasscock.	Terrell.
Griggs.	

Absent.

Cunningham.	Senter.
Grinnan.	Stokes.
Hudspeth.	Watson.
Masterson.	

Absent—Excused.

Greer.	Veale.
Paulus.	

Senator Mayfield moved that the Senate adjourn until tomorrow morning at 10 o'clock, and the motion was lost by the following vote:

Yeas—5.

Harbison.	Mayfield.
Holsey.	Willacy.
Kellie.	

Nays—16.

Alexander.	Harper.
Barrett.	Looney.
Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Skinner.
Glasscock.	Smith.
Green.	Stone.
Griggs.	Terrell.

Absent.

Cunningham.	Senter.
Grinnan.	Stokes.
Hudspeth.	Watson.
Masterson.	

Absent—Excused.

Greer.	Veale.
Paulus.	

SENATE BILL NO. 15.

Action here recurred on Senate bill No. 15, and Senator Glasscock moved the previous question on the amendment, which motion was seconded, and was ordered by the following vote:

Yeas—14.

Alexander.	Harbison.
Barrett.	Holsey.
Brachfield.	Kellie.
Chambers.	Murray.
Faust.	Skinner.
Glasscock.	Stone.
Griggs.	Terrell.

Nays—7.

Green.	Meachum.
Harper.	Smith.
Looney.	Willacy.
Mayfield.	

Absent.
Cunningham. Senter.
Grinnan. Stokes.
Hudspeth. Watson.
Masterson.

Absent—Excused.
Greer. Veale.
Paulus.

The amendment by Senator Brachfield was then adopted by the following vote:

Yeas—14.
Alexander. Holsey.
Brachfield. Kellie.
Chambers. Murray.
Faust. Skinner.
Glasscock. Stone.
Griggs. Terrell.
Harbison. Willacy.

Nays—7.
Barrett. Mayfield.
Green. Meachum.
Harper. Smith.
Looney.

Absent.
Cunningham. Senter.
Grinnan. Stokes.
Hudspeth. Watson.
Masterson.

Absent—Excused.
Greer. Veale.
Paulus.

Senator Skinner moved to reconsider the vote by which the amendment was adopted, and lay that motion on the table.

The motion to table prevailed.

Senator Stone offered the following amendment:

Amend the bill by adding after the word "State," in line 23, page 2, of the printed bill, the following, "pay 25 per cent of the unpaid portion of the capital stock of such company, and shall within four years from the date of the filing of such charter by the Secretary of State."

On motion of Senator Brachfield, the amendment was tabled by the following vote:

Yeas—17.
Alexander. Griggs.
Barrett. Harbison.
Brachfield. Harper.
Chambers. Holsey.
Green. Looney.

Mayfield. Smith.
Meachum. Terrell.
Senter. Willacy.
Skinner.

Nays—5.

Faust. Murray.
Glasscock. Stone.
Kellie.

Absent.

Cunningham. Masterson.
Grinnan. Stokes.
Hudspeth. Watson.

Absent—Excused.

Greer. Veale.
Paulus.

Senator Smith offered the following amendment, which was adopted:

Amend line 18, Section 1, page 2, by striking out the number 17, and add to line 20 the following: "And provided further, that mutual building and loan associations are exempt from the provisions of this act."

Senator Stone offered the following amendment, which was adopted:

Amend the bill by adding after the word "in," in line 1, page 2 of the printed bill the following, "other property or."

REFUSE TO ADJOURN.

Senator Smith moved that the Senate adjourn until tomorrow morning at 9 o'clock, and the motion was lost by the following vote:

Yeas—9.

Barrett. Kellie.
Green. Looney.
Harbison. Meachum.
Harper. Smith.
Holsey.

Nays—12.

Alexander. Mayfield.
Brachfield. Senter.
Chambers. Skinner.
Faust. Stone.
Glasscock. Terrell.
Griggs. Willacy.

Absent.

Cunningham. Murray.
Grinnan. Stokes.
Hudspeth. Watson.
Masterson.

Absent—Excused.

Greer. Veale.
Paulus.

SENATE BILL NO. 15.

Action recurred on Senate bill No. 15, and Senator Brachfield offered the following amendment:

Amend the caption by striking out all after the word "chartered," in line 7, page 1, and add the following, "and providing the amount of capital stock to be paid in, and when the remainder shall be paid."

Senator Skinner moved the previous question on the amendment and engrossment of the bill. The motion was duly seconded, and was ordered.

The amendment was adopted.

The bill was read second time and ordered engrossed.

Senator Skinner moved to reconsider the vote by which the bill was ordered engrossed, and lay that motion on the table.

The motion to table prevailed.

ELECTION LAW AMENDMENTS.

The following amendments to Senate bill No. 64 were ordered printed in the Journal by the Chair:

Amend Senate bill No. 64 by striking out the caption, and insert in lieu thereof the following:

A bill to be entitled "An Act to amend Sections 103, 107, 114, 115, 116, 117 and 119 of Chapter 11 of the Acts of the First Called Session of the Twenty-ninth Legislature of the State of Texas, entitled an act to regulate elections, and to provide penalties for its violation and to repeal the Acts of the Twenty-eighth Legislature of 1903, regulating elections, general, special and primary and political conventions April 1, 1903, also by adding thereto Section 141a, providing the manner of contest, and Section 148a, making it a misdemeanor punishable to violate a pledge of party fealty, and also to amend Chapter 3, Acts of the Second Called Session of the Twenty-ninth Legislature of the State of Texas, being an act to amend Section 120, Chapter 11, of the Acts of the First Called Session of the Twenty-ninth Legislature of the State of Texas, regulating elections."

Amend Senate bill No. 64 by striking out all after the enacting clause, and insert the following in lieu thereof:

"Section 1. That Sections 103, 107, 114, 115, 116, 117 and 119 of Chapter 11 of the Acts of the First Called Session of the Twenty-ninth Legislature of the State of Texas be and they are hereby amended so as to read as follows:

Sec. 103. No one shall vote in any primary election unless he has paid his

poll tax or obtained his certificate of exemption from its payment in cases when such certificate is required before the first of February next preceding, which fact must be ascertained by the officers conducting the primary election by an inspection of the certified lists of qualified voters of the precinct and of the poll tax receipts or certificates of exemption; nor shall he vote unless he agree to the following test of party fealty, which shall be printed on the ballot, and which shall be conclusively presumed to have agreed to by voting such ticket, viz.: "In voting this ticket I affirm that I have not and will not vote or participate in the primaries of any other political party or organization to nominate candidates of such party or organization for any office to be voted upon by the voters at the ensuing general election, and I further affirm that I will not vote for or in any way aid or encourage the election at the ensuing general election of any person nominated by any other political party or organization for any office who has been by any other such political party or organization nominated in opposition to the candidate for such office nominated in this primary in which I participate"; nor shall any person vote in such primary election, except in the voting precinct of his residence; provided, that if his receipt or certificate be lost or misplaced, or inadvertently left at some place not immediately accessible, that fact must be sworn to by the person offering to vote; and provided further, that the requirements as to the presentation of poll tax receipts, certificates of exemption or affidavits shall only apply to resident citizens of cities of over ten thousand population as shown by the last United States census.

Sec. 107. The vote at all general primaries shall be by official ballot, which shall have printed at the head the test prescribed in Section 103, and below and immediately following the name of the political party, and under such head the name of each candidate; those for each nomination being arranged in the order determined by his various committees as herein provided, and the voter shall erase or mark out all the names he does not wish to vote for.

Sec. 114. On the fourth Saturday in August succeeding each general primary election there shall be held, in each district within the State in which any candidate or candidates for any district office are to be elected at the succeeding general election, a meeting of the District Executive Committee for that dis-

trict, notice of the time and place of holding such meeting shall be given by such committee to each of the candidates for the office or offices at least ten days prior to such meeting, and also by publication in some newspaper of general circulation in said district. The committee shall elect one of its number chairman, and on the day named for the meeting of the committee above provided it shall tabulate the vote cast in the various counties for each candidate for the district office, which has been certified to such committee as provided in this act; and said committee may adjourn from day to day until it has possession of complete returns from all of said counties showing the vote cast therein for each candidate; and the candidate for such district office who shall have received a majority of all the votes cast in said primary for the several candidates for that office is hereby, and shall be by said committee, declared and certified the nominee for such office.

If there should be but two candidates for said office, and it shall appear from the returns that they received the same number of votes, the committee shall in some impartial manner cast lots as between the two candidates for the nomination and the one thus chosen is hereby declared the nominee.

If no candidate shall have received a majority of all the votes cast in said district for the candidates for said office, then the committee shall proceed by the process of elimination and calculation to determine, declare and certify the nominee, as provided in Section 120; provided, however, that all the proceedings of the committee shall be public, and the candidates and their friends shall be permitted to be present and witness the entire proceedings of said committee.

Sec. 115. On the first Saturday after primary election day for 1908, and each two years thereafter, there shall be held in each county, a county convention of each party, to be composed of delegates from each voting precinct, to be elected by the voters thereof on primary election day, and the delegates so selected or such of them as may attend the county convention shall cast the vote of such precinct which vote shall be one for each twenty-five votes or a major fraction thereof cast in said precinct for the candidate or candidates of that party for Governor at the primary election held on that day.

The county convention shall elect a convenient number of delegates to the State convention, and those elected or

such of them as may attend the State convention shall cast the vote of such county in the State convention, which vote shall be one for each three hundred votes or a major fraction thereof cast for the candidate or candidates for Governor in said county in the party primary just held, and shall also elect a chairman of the executive committee when no person has been elected in the primary and shall transact such other business as may be necessary.

Immediately upon the adjournment of each county convention, the chairman and secretary thereof shall make out a list of the delegates chosen to the State convention, and shall sign the same, which shall on the assembling of the State convention be delivered to the Credentials Committee of such convention.

Sec. 116. All party State conventions to consider matters of interest to the party and country, and to make platform declarations of principles and demands, shall, except as otherwise provided, meet at such place as may be determined by the parties respectively on the second Tuesday in August, A. D. 1908, and every two years thereafter, and it shall remain in session from day to day until the work of the convention is finished.

Provided, that said convention shall among other things, elect a chairman of the State Executive Committee, and thirty-one (31) members thereof, one from each Senatorial district, who shall be recommended to said convention by the delegates representing the counties composing the Senatorial districts, respectively, each county in such selection, voting its convention strength, and each of said committeemen shall hold said office until his successor is elected and in case of a vacancy in the office of a committeeman the same shall be filled by the chairman, and in case the office of chairman become vacant for any reason the same shall be filled by a majority vote of the committee, a majority of whom shall constitute a quorum for the transaction of all business.

Sec. 117. On primary election day, 1908, and every two years thereafter, candidates for Governor, and for all other State offices, to be chosen by a vote of the entire State, and candidates for Congress, and all district offices to be chosen by the vote of any district comprising more than one county, to be nominated by each organized political party that cast 100,000 votes or more at the last general election, shall,

together with all candidates for office to be filled by the voters of a county or a portion of a county, be nominated by a direct vote cast in the party primary election by the qualified voters voting therein, and without the intervention of any convention. The Chairman of the Executive Committee in each county, shall, as soon as the vote cast in the primary election has been counted and canvassed, as provided by this law, prepare a tabulated statement of the votes cast in his county for each candidate for each nomination for a State, district, county or precinct office, and for county chairman, as shown by the canvass made by the County Executive Committee, shall immediately mail such statement, as to State and district offices in a sealed envelope, by registered letter, to the Chairman of the State Executive Committee, or chairman of the District Executive Committee, as the case may be, who shall preserve and present the same to the State and District Committee at its respective meeting to be held as herein provided, and said chairman shall on request furnish over his certificate to each candidate involved in said returns, a duplicate of said tabulated statement of votes cast, as above mentioned, and provided further, that the County Executive Committee may determine whether the nomination of county and precinct officers shall be by a majority or plurality vote of such county or precinct, and if by a majority vote, then the committee may provide for as many such primary elections as may be necessary to make such nomination by a majority vote.

Sec. 119. On the Monday preceding the second Tuesday in August, 1908, and every two years thereafter, the State Executive Committee shall meet at the place selected for the meeting of the State convention and shall open and canvass the returns of the primary election as to nominations for State offices, as certified by the various county chairman to the State Chairman, and shall prepare a tabulated statement showing the number of votes received by each such candidate in each county, which statement shall be approved by the State Committee and certified to by the chairman of said committee.

Sec. 2. That Section 120 of Chapter 11, of the acts of the First Called Session of the Twenty-ninth Legislature of the State of Texas as amended by Chapter 3 of the Acts of the Second Called Session of the Twenty-ninth Legislature of the State of Texas, be, and

the same is so amended as to read as follows:

Sec. 120. The candidate for a state, or a district office, as the case may be, who receives a majority of all the votes cast in the primary election, for the several candidates for said office, in the State, if a State office, or in the district, if a district office, is hereby declared the nominee of such party for said office, and shall be so certified by and to the proper authority.

If no candidate receives in said primary a majority of all the votes cast for the candidates for any such State or district office, the candidate who is shown by the returns to have received the smallest number of votes therein shall be eliminated from further consideration, and the votes received by such dropped candidate in the several counties of the State, or district, as the case may be, shall be divided and pro rated among the remaining candidates, by counties; that is to say, there shall be added to the vote received by each of the remaining candidates in each county, a pro rata share of the vote that the dropped candidate received in that county, which shall be arrived at by dividing the vote received by the dropped candidate in such county among the remaining candidates in proportion to the vote received in said county respectively by each remaining candidate; and if it then appears that either of the remaining candidates has to his credit a majority of the votes cast in said State or district for the candidates for the office under consideration, he is hereby declared to be the nominee of said party for said office, and shall be so certified by and to the proper authority; but if no one of the remaining candidates has such majority, after the first elimination, then the candidate remaining who has to his credit the smallest number of votes, shall be eliminated from further consideration, and the vote to his credit from each county, including the original vote received by him in the primary in that county as well as the pro rate added thereto from the division of the vote of the candidate first eliminated, shall in like manner and by same process be divided among the remaining candidates, and so on, by this method of elimination, division and addition, until some candidate has to his credit a majority of all the votes cast at such primary for the several candidates for the office under consideration, and he is hereby declared the nominee of the party for such office.

All nominations for State and district offices shall be made without the intervention of a convention, and the respective State and district committees shall have no other discretion than to canvass and tabulate the returns and ascertain and declare the result of the election from the returns certified to them, and to make correct divisions of the vote of any dropped candidate among those remaining.

The result of the primary, ascertained as above provided, shall be, if a State office, certified by the Chairman of the State Executive Committee to the Secretary of State, who shall in turn certify the same to all county clerks, and if a district office, the chairman of the District Executive Committee shall certify same to the county clerks of the several counties composing the district; provided, that this section shall be construed to mean that the vote that each candidate receives in each county shall be tabulated separately, and when a candidate is eliminated, as above provided, the vote that he received in each county shall be divided and apportioned among the other candidates, with reference to the vote that each remaining candidate received in that particular county.

Sec. 3. That there be added to said Chapter 11, Acts of First Called Session of the Twenty-ninth Legislature, as amendments, Sections 141a and 148a, to read as follows:

Sec. 141a. All contests for a nomination in a primary election for a State or district office based upon fraud or illegality in the method of making returns, or of canvassing and tabulating same or of eliminating candidates and apportioning the vote of such dropped candidate among the remaining, shall be filed, if for a State office, in a district court of Travis county, and if for a district office, in a district court either of the county of the residence of the contestee or of the chairman of the District Executive Committee.

The complaining candidate shall, within five days after the nomination has been declared by the committee, file in the court of proper jurisdiction a complaint setting forth succinctly his grounds for the contest, which shall not require a citation, but the contestee shall at least five days before he is required to answer be served with a copy of such complaint: which service the contestant can cause to be made by any officer authorized to serve civil process or by any adult person, and a certificate of such officer of the time and place of

such service shall be sufficient prima facie return.

Within five (5) days after service the contestee shall make specific answer to such complaint, and the case shall be by the court set down for heading as early as possible.

The case shall proceed and be tried as other civil cases, except that same may be heard in vacation, and on appeal by either party the transcript shall be immediately made up and the record filed in the proper Court of Civil Appeals, which court shall immediately consider and dispose of the case, and if it is in vacation it shall immediately assemble for that purpose, and its judgment shall be final.

The bond on appeal shall be payable to appellee conditioned for the payment of all costs, and all proceedings of the trial and appellate courts shall be conducted as expeditiously as possible with the view of bringing the controversy to a finality in time for the successful litigant to have his name properly certified to the proper authorities and to be printed upon the official ballots, and for that purpose the clerk of the district court or the clerk of the Court of Civil Appeals, as the case may be, shall certify the result of said contest, and the Secretary of State and the county clerks, respectively, shall be governed accordingly.

Sec. 148a. Any person who at any primary election votes a ballot with a pledge of party fealty printed thereon, as provided in Section 103 of this act, and at the time of voting said ballot said voter had prior thereto on same day voted for or participated in the nomination of candidates for office by any opposing political party or organization, or if said voter should, after voting said ballot, violate the pledge taken by him, he shall in either event be guilty of a misdemeanor within the meaning of this act, and shall be punished accordingly.

BILLS SIGNED BY CHAIR.

The Chair (Lieutenant Governor Davidson) gave notice of signing and did sign, in the presence of the Senate, after their captions had been read,

House bill No. 140, "An Act to amend Article 641 of the Penal Code of the State of Texas, relating to abortion, and defining the meaning of that term, and providing for punishment for those guilty of the offense of abortion as defined."

House bill No. 218, "An Act to create a commission composed of the Governor,

Secretary of State and Chairman of the Railroad Commission to make a thorough and complete investigation and audit by an expert public accountant or firm of such accountants of the books, papers, accounts and method of accounting, book-keeping and transacting business prevailing in the departments of the State Treasurer, Comptroller of Public Accounts, Commissioner of the General Land Office and such other departments as the said board shall deem advisable; and authorizing said board to adopt and prescribe and put in force any such changes in any of the methods or systems employed in any of the said departments as they shall deem advisable, and requiring the heads of any such departments to dispense with the services of any number of employes in any of the said departments when directed to do so by the said board, and making an appropriation to cover the expenses thereof."

House Joint Resolution No. 7, Amending Section 3, Article 7, of the Constitution of the State of Texas, increasing the amount of tax that may be voted on school districts, and providing for a majority vote of the property tax paying voters of such district to vote such tax."

Senate bill No. 26, "An Act to repeal Chapter 12 of the General Laws of Texas passed by the Twenty-seventh Legislature, page 12, Laws of 1901, and to pass in lieu thereof this act; to create a board of medical examiners for the examination and licensing of all physicians, surgeons and obstetricians; to prescribe their qualifications; to provide for their proper registration, the revocation of their licenses for flagrant offenses, and to fix suitable penalties for illegal practice."

Senate bill No. 18, "An Act to provide for acquiring by purchase or condemnation about fourteen acres of land, being a part of and adjoining the San Jacinto battle grounds, and fronting upon the navigable waters of Buffalo Bayou, and providing for fencing, beautifying and improving the lands of the San Jacinto battlefield, now owned or hereafter acquired by the State of Texas, the same to be designated by name as 'San Jacinto State Park'; making an appropriation therefor, and declaring an emergency."

House bill No. 369, "An Act to restore to and confer upon the county court of Frio county the civil and criminal jurisdiction belonging to such court under the Constitution and General Statutes of the State; to confirm the jurisdiction of

the district court of said county to such change, and to repeal all laws in conflict with this act, so far as relates to Frio county."

House bill No. 304, "An Act to create a more efficient road law system for Medina county, and making the county commissioners of said county ex-officio road commissioners, and providing and prescribing their duties as such, providing for their compensation as road commissioners, and providing and defining the powers of such county commissioners, etc., and for the emergency clause."

House bill No. 303, "An Act creating Uvalde Independent School District in Uvalde county, Texas."

House Concurrent Resolution No. 6, relating to publication of Legislative Manual.

Substitute House bills Nos. 63 and 173, "An Act to amend Article 3698, Chapter 6, of Title LXXIX, Revised Civil Statutes of Texas, 1895, relative to the salaries of the under officers and employes of the State penitentiaries of Texas."

House bill No. 423, "An Act to authorize and permit the territory situated within the bounds of the town of Claude, in the county of Armstrong, and State of Texas and other lands and territory adjacent thereto, to incorporate as an independent school district, for free school purposes only, to be known as the Claude Independent School District, with all the powers, rights and duties of independent school districts formed by incorporations of towns and villages, for free school purposes only."

House bill No. 91, "An Act to amend Articles 1821, 1822, 1823 and 1830 of Title XXXVIII of the Revised Civil Statutes of the State of Texas, relating to escheats, so as to provide more fully when estates shall escheat to and vest in the State, further defining the duties of the district or county attorney, and the district clerk in proceedings for such purpose; providing for personal notice of such escheat proceedings to persons paying taxes and others designating the nature and effect of the judgment to be rendered therein when in favor of the State; prohibiting sales and issuance of writs of possession within a certain time and providing for divestiture of title acquired by the State; with an emergency clause."

House bill No. 317, "An Act to amend Section 2, Chapter 5, of the General Laws of the State of Texas, passed by the First Special Session of the Twenty-

fifth Legislature, limiting the fees of district clerks and other officers, and declaring an emergency."

House bill No. 508, "An Act to create a more efficient road system for Williamson county, Texas, and making county commissioners ex-officio road commissioners, and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; and providing for the condemning of material for the construction and maintenance of public roads, and to provide for the compensation for the material used; and providing for the working of county convicts on the public roads and the purchase of supplies for such convicts and rewards for the capture of escaped county convicts, and for commutation of sentence for faithful service and good behavior; and defining the powers and duties of road overseers, and to provide for the summoning of hands and teams for road work, the allowance of time for services of hands and teams on public roads; and fixing a penalty for violation of same and relieving them from the payment of such work by the payment of \$3.00; and providing further, making this act cumulative of the General Laws now in force; and to repeal all laws in conflict with this act and declaring an emergency."

House bill No. 184, "An Act for the relief of the present owners and occupants and their heirs and assigns of three surveys of land situated in Comanche county, consisting of one-third league each, one of which was patented to the heirs of Thomas J. Blakemore by patent No. 85, Vol. 16, issued on the 4th day of October, 1859, one patented to the heirs of Joseph J. Blakemore by patent No. 84, Vol. 16, issued on the 4th day of October, 1859, and one patented to the heirs of Joseph Blakemore by patent No. 278, Vol. 15, issued on the 11th day of February, 1861, whereby the State of Texas relinquishes to said owners and occupants of said land whatever right, title or interest there may be in the State of Texas to escheat said land by reason of the fact that the heirs of the original grantees inherited said land at a time that Texas was a Republic and while they, the said heirs, were aliens to the said Republic of Texas, without thereafter complying with the provisions of the Constitution of the Republic of Texas for such cases made and provided."

House bill No. 292, "An Act to amend Chapter 144 of the General Laws of the Twenty-ninth Legislature, creating Mid-

lothian Independent School District, so as to more clearly define the boundaries of said district, and validating all acts of said incorporation, and declaring an emergency."

House bill No. 366, "An Act to amend Chapter 24, General Laws of the State of Texas, passed at the Regular Session of the Twenty-seventh Legislature, 1901, placing Colorado, Lavaca, Washington, Williamson, Smith and Delta counties under the provisions of Chapter 128 of an act passed by the Twenty-sixth Legislature of the State of Texas, providing a mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in the following counties, or in subdivisions of said counties, viz.: Cooke, Bell, Ellis, Montague, Fayette, Johnson, Collin, Rockwall, Lamar, Milam, Denton, Falls, Navarro, Fannin, Hunt, Tarrant, Grayson, Guadalupe, Dallas, Austin, Brazos and Lavaca by adding thereto Sections 2 and 3."

House bill No. 305, "An Act to amend an act entitled 'An Act to amend an act to incorporate the city of Austin, to grant it a new charter and to fix its boundaries, passed at the First Called Session of the Twenty-seventh Legislature, being Chapter 3 of the Special Laws of said session, said act approved September 18, 1901, and to repeal all laws in conflict therewith, so as to provide for extending the boundaries of the city so as to include within such boundaries J. W. Beard's one-acre tract,' passed at the Regular Session of the Twenty-ninth Legislature, being Chapter 32 of the Special Laws of said session, said act having become a law on April 15, 1905, without the approval of the Governor; and repeal all laws in conflict therewith, so as to provide for extending the boundaries of the city so as to include within such boundaries J. E. Shelton's two-acre tract."

House bill No. 52, "An Act to regulate the admission of evidence in damage suits against railroad companies and providing that the defense of contributory negligence, fenced road, switches, yards and open crossings shall not be permitted in any such case, unless the said railroad shall allege and prove that all its engines in use on said railroad were at the time equipped with electric headlights, if the damages sought to be recovered was from an accident happening in the night time, the railroad company shall further allege and prove that at such time the engine was properly equipped with an electric headlight and in proper use."

House bill No. 73, "An Act to prevent the drinking of intoxicating liquors on passenger trains and coaches in this State."

Senate bill No. 203, "An Act to be entitled an act to incorporate the trustees of the Independent School District of the city of San Antonio, Texas, under the name 'San Antonio School Board,'" etc.

ADJOURNMENT.

On motion of Senator Skinner, the Senate, at 10:25 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

COMMITTEE REPORTS.

(Floor Report.)

Committee Room,
Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

House Concurrent Resolution No. 19, Authorizing the Superintendent of Public Buildings and Grounds to lease a certain lot in the city of Austin known as the Alliance Cotton Yard,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Faust, Chairman; Holsey, Green, Senter, Murray, Brachfield, Smith.

(Floor Report.)

Committee Room,
Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 120, A bill to be entitled "An Act validating the diploma of the Texas Industrial Institute and College for the Education of White Girls, of the State of Texas in the Arts and Sciences, as a first grade State teacher's certificate; providing for the validation or extension of such diploma as a permanent State teachers' certificate; and authorizing school trustees to employ the holders of such diploma as teachers, and to pay them from the State, county and local funds,"

Have had the same under considera-

tion, and beg to report same back to the Senate with the recommendation that it do pass, and be not printed.

Barrett, Chairman; Grinnan, Kellie, Meachum, Harper, Green, Senter.

(Floor Report.)

Committee Room,
Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Judiciary Committee No. 2, to whom was referred

Senate bill No. 287, A bill to be entitled "An Act creating the offices of inspector of all petroleum oils and products; providing for the appointment of inspectors and deputy inspectors; defining their qualifications and duties; providing how fire tests shall be made; defining standard oils and fluids and defining how they shall be branded; providing penalties for violation of this act, and declaring an emergency,"

Have had the same under consideration, and we report the same back to the Senate with the recommendation that it do pass.

Looney, Chairman; Alexander, Huds-peth, Barrett, Smith, Meachum, Terrell.

(Floor Report.)

Committee Room,
Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 280, A bill to be entitled "An Act requiring all hotels, boarding houses, bed houses and sleeping houses to provide certain bed clothing as herein described, requiring bedding to be disinfected, the changing of linens, for the purpose of preventing tuberculosis and other diseases, and providing penalties therefor, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

LOONEY, Chairman.

(Floor Report.)

Committee Room,
Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Internal Improvements, to whom was referred

House bill No. 327, A bill to be entitled "An Act to amend Article 5083, Chapter 2, Title CIV, of the Revised Civil Statutes of Texas of 1895, so as to require railroads to report under oath rolling stock operated by them under rental, hire, lease or other form of contract, and to give name and address of true owner, and requiring county tax assessors to properly assess such property, declaring an emergency."

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass.

Brachfield, Chairman; Murray, Skinner, Alexander, Meachum, Green, Holsey, Chambers, Looney, Faust.

(Floor Report.)

Committee Room,
Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 381, A bill to be entitled "An Act to repeal an act to create a more efficient road system for Leon county, Texas, and making county commissioners of said county ex-officio road commissioners and prescribing their duties as such and providing for their compensation," etc.,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Green, Chairman; Watson, Harper, Hudspeth, Glasscock.

(Floor Report.)

Committee Room,
Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 551, A bill to be entitled "An Act to create a more efficient road system for Rusk county and defining the duties of the county judge and commissioners, providing for the appointment of road superintendents, defining their duties, providing for the working of county convicts and delinquent poll tax payers on the public roads of said county, providing for rewards and penalties for escaped convicts, providing for the relieving of de-

linquent poll tax payers from road duties by the payment of \$3, providing for the appointment of road overseers and the apportioning of road hands, providing for the duties of road overseers and road hands and fixing penalties for failure of their duties for the adoption of a system of road working, and the relieving of road hands from service upon the payment of \$4, giving general powers to the commissioners courts to lay out new roads, to discontinue public roads, and to change public roads and the acquiring of road beds for new roads by purchase or by condemning proceedings, the making of this law cumulative of the general road law of the State and in case of conflict with the General Laws of the State this act to govern as to Rusk county, and to repeal Chapter 5, Acts of the Twenty-eighth Legislature, 1903, and declaring an emergency."

Have had same under consideration, and beg to report same back to the Senate with the recommendation that it do pass, and be not printed.

Green, Chairman; Meachum, Hudspeth, Mayfield, Harper, Glasscock.

Committee Room,
Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 72, A bill to be entitled "An Act to amend Chapter 8, Title XXX, of the Revised Civil Statutes of 1895, by adding thereto Article 1269a, and repealing all laws in conflict therewith; relating to the pleadings of the defendant and for changing venue where a plea of privilege to be sued in a different court or county is sustained and declaring an emergency,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,
Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 200, A bill to be entitled "An Act to amend Section 15 of Chapter 94, acts of the Twenty-eighth Legislature of Texas, entitled 'An Act to define, prohibit and declare illegal, trusts, monopolies and conspiracies in restraint of trade, and to prescribe penalties for forming or being connected

with such trusts, monopolies and conspiracies and to provide for the suppression of same, and to promote free competition in the State of Texas, and to repeal all laws in conflict therewith, and declaring an emergency,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,

Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 204, A bill to be entitled "An Act to amend Title XIII, Chapter 1, of the Penal Code of the State of Texas, by adding thereto Article 482a, providing the manner in which traction engines and separators shall be transported or carried over any public bridge or culvert upon any public road or highway, or any street or alley in any incorporated town or city, and providing a penalty for the violation thereof; declaring an emergency,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,

Austin, Texas, March 18, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 181, A bill to be entitled "An Act to create a Judiciary Commission to prepare and submit to the Thirty-first Texas Legislature drafts of constitutional amendments and bills and measures for the improvement of the judiciary system and court procedure of Texas, and declaring an emergency,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,

Austin, Texas, March 16, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 238, A bill to be entitled "An Act providing for extensions by the Penitentiary Board of the railroad now owned by the State of Texas at the Rusk penitentiary; for its maintenance, equipment and operation; providing for condemning right of way and

material therefor; providing for condemnation proceedings; providing for the issuance of bonds by the Penitentiary Board aggregating one hundred and fifty thousand (\$150,000) dollars, bearing interest at 5 per cent per annum, secured by a lien upon said State railroad, its extension and equipment; providing a method of redemption of said bonds; providing for the purchase of said bonds by the Board of Education out of the permanent school fund; providing that the Railroad Commission of Texas shall have jurisdiction over the traffic carried on and over said State railroad, and authorizing said Commission to compel a fair division of freight and passenger charges between said railroad and connecting lines of railroad; that said Penitentiary Board shall enforce and obey the orders and regulations of the Railroad Commission; providing that this act shall be cumulative of all other laws in force in this State, and declaring an emergency,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,

Austin, Texas, March 16, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 199, A bill to be entitled "An Act to repeal Section 21 of Chapter 10 of the General Laws passed by the Twenty-ninth Legislature of Texas at the First Called Session, relating to banks and banking, and declaring an emergency,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,

Austin, Texas, March 16, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 91, A bill to be entitled "An Act to define who are peddlers, and declaring all persons who go from house to house and place to place making a sale of or offering to sell by retail, or offering to take orders for the future delivery of merchandise, regardless of the mode and the manner of delivery; providing for the mode and manner of obtaining and the issuance of license, and keeping a record of same; levying an occupation

tax on such persons, and providing a penalty for the violation of this act, and declaring an emergency."

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,

Austin, Texas, March 16, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate Joint Resolution No. 4, Proposing an amendment to Section 20 of Article 16 of the Constitution of the State of Texas, relating to local option laws,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,

Austin, Texas, March 16, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 150, A bill to be entitled "An Act to amend Articles 5098, 5100, 5120 and 5124 of Chapter 3, Title CIV, of the Revised Civil Statutes of 1895, relating to taxation, fixing penalties, and declaring an emergency,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,

Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate Concurrent Resolution No. 7, Providing for appointment of committees by Senate and House to ascertain at what price the life-size picture of David Crockett now on the first floor of the capitol can be purchased from its owner, Mrs. Huddle, for the State of Texas,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,

Austin, Texas, March 16, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 210, A bill to be entitled "An Act to change and prescribe the time for holding district court in the Fourth Judicial District, and declaring an emergency,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,

Austin, Texas, March 16, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 246, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1906, and which have failed, or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,

Austin, Texas, March 16, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 198, A bill to be entitled "An Act to amend Articles 5098, 5100, 5120 and 5124 of Chapter 3, Title CIV, of the Revised Civil Statutes of 1895, relating to taxation, fixing penalties, and declaring an emergency,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,

Austin, Texas, March 16, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 183, A bill to be entitled "An Act to create in the Department of Agriculture of Texas a Bureau of Cotton Statistics; prescribing the duties of the Commissioner of Agriculture, the county clerks, the public ginners, and prescribing penalties for the violation of this act, and declaring an emergency,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.